

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

OSCAR SANCHEZ, MARCUS
WHITE, TESMOND MCDONALD,
MARCELO PEREZ, ROGER
MORRISON, KEITH BAKER, PAUL
WRIGHT, TERRY MCNICKELS, and
JOSE MUNOZ, on their own and on
behalf of a class of similarly situated
persons,
Plaintiffs/Petitioners,

v.

DALLAS COUNTY SHERIFF,
MARIAN BROWN, in her official
capacity; DALLAS COUNTY, TEXAS;
STATE OF TEXAS; GOVERNOR OF
TEXAS; and ATTORNEY GENERAL
OF TEXAS,
Defendants/Respondents.

Case No. 3:20-cv-00832-E

Notice of Supplemental Authority

We write to alert this Court to the Fifth Circuit’s decision from yesterday in *Marlowe v. LeBlanc*, — F.3d —, No. 20-30276 (5th Cir. Apr. 27, 2020) (slip opinion attached). While this Court has already denied Plaintiffs’ requested relief (and *Marlowe* does not change that result), State Intervenor’s bring this binding authority to this Court’s attention because it forecloses several of Plaintiffs’ attempts to distinguish *Valentine v. Collier*; therefore, providing further support for the Court’s forthcoming written opinion.

Respectfully submitted.

KEN PAXTON
Attorney General of Texas

JEFFREY C. MATEER
First Assistant Attorney General

RYAN L. BANGERT
Deputy First Assistant Attorney General

DARREN L. MCCARTY
Deputy Attorney General for Civil Litigation

THOMAS A. ALBRIGHT
Chief for General Litigation Division

/s/ Adam Arthur Biggs
ADAM ARTHUR BIGGS
Attorney-in-Charge
Special Litigation Counsel¹
Texas Bar No. 24077727
General Litigation Division
P.O. Box 12548, Capitol Station
Austin, Texas 78711-2548
(512) 463-2120 | FAX: (512) 320-0667
adam.biggs@oag.texas.gov

**COUNSEL FOR THE STATE OF TEXAS,
THE GOVERNOR OF TEXAS, AND
THE ATTORNEY GENERAL OF TEXAS**

¹ Exempted from admission to practice requirement pursuant to Local Rule 83.11.

CERTIFICATE OF SERVICE

I hereby certify that on April 28, 2020, a true and correct copy of the foregoing document was transmitted using the CM/ECF system, which automatically sends notice and a copy of the filing to all counsel of record.

/s/Adam Arthur Biggs

ADAM ARTHUR BIGGS
Special Litigation Counsel